

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANTHONY ALBERT BAGGETT,
Plaintiff,
v.
CITY OF FRESNO, *et al.*,
Defendants.

Case No. 1:24-cv-01024-BAM (PC)
ORDER STRIKING UNSIGNED FIRST
AMENDED COMPLAINT AND REQUIRING
PLAINTIFF TO FILE A SIGNED COMPLAINT
(ECF No. 4)
THIRTY (30) DAY DEADLINE

Plaintiff Anthony Albert Baggett (“Plaintiff”) is a civil detainee and former county jail inmate proceeding *pro se* and *in forma pauperis* in this civil rights action under 42 U.S.C. § 1983. Plaintiff initiated this action on August 6, 2024 in the Sacramento Division of the United States District Court for the Eastern District of California. (ECF No. 1.) The case was transferred to the Fresno Division on August 28, 2024. (ECF No. 6.)

Plaintiff originally filed a complaint on August 6, 2024, alleging claims regarding the wearing of body cameras by staff at the Fresno County Jail. (ECF No. 1.) On August 8, 2024, Plaintiff filed a first amended complaint raising claims regarding the denial of proper meals at the Fresno County Jail. (ECF No. 4.) The first amended complaint is not signed. (*Id.*)

Both the Federal Rules of Civil Procedure and this Court’s Local Rules require that all filed pleadings, motions and papers be signed by at least one attorney of record or by the party

1 personally if the party is unrepresented. Fed. R. Civ. P. 11(a); Local Rule 131(b). As Plaintiff's
2 first amended complaint is unsigned, the Court must strike it from the record. Plaintiff will be
3 permitted an opportunity to file a signed complaint that complies with the Federal Rules of Civil
4 Procedure and the Local Rules.

5 Plaintiff is also advised that the Court will only screen claims included in Plaintiff's
6 signed first amended complaint. If Plaintiff wishes to raise claims regarding body camera
7 policies and nutritional meals in this case, all such claims must be included in the same complaint
8 or filed in a separate action. The Court will then screen the complaint to determine whether
9 Plaintiff states any cognizable claims and whether those claims are properly joined in this action.

10 Based on the foregoing, it is HEREBY ORDERED that:

- 11 1. Plaintiff's first amended complaint, filed August 8, 2024, (ECF No. 4), is STRICKEN
12 from the record for lack of signature;
- 13 2. The Clerk of the Court is directed to send to Plaintiff an amended complaint form;
- 14 3. Within **thirty (30) days** from the date of service of this order, Plaintiff SHALL file a
15 signed first amended complaint, or a notice of voluntary dismissal; and
- 16 4. **Plaintiff is warned that the failure to comply with this order will result in**
dismissal of this action, with prejudice, for failure to obey a court order and for
failure to state a claim.

19 IT IS SO ORDERED.
20

21 Dated: August 29, 2024

22 /s/ Barbara A. McAuliffe
23 UNITED STATES MAGISTRATE JUDGE
24
25
26
27
28